

REMARKS/ARGUMENTS

Responsive to the Office Action dated July 1, 2005, Applicants have filed a Request for Continued Examination concurrently with this Amendment B requesting reconsideration for allowance of Claims 13 through 34 for the reasons set forth hereinbelow.

Claims 13 through 34 are presented with this Amendment B and have been previously presented. Each of independent Claims 13, 25 and 31 includes the requirement of initializing the encoding of software or data dependent on a secret Firm Key (FK) freely selected by the software licensor. Each of Claims 13, 25 and 31 also requires initialization of decoding of the software or data using the same Firm Key (FK) selected by the licensor. In at least these respects each of Claims 13, 25 and 31 is believed to patentably distinguish over the cited prior art (CPA) comprising U.S. Patent 6,233,567 to Cohen.

In the above-referenced Office Action, the Examiner argues that Cohen discloses the use of a registration key (T) which can be interpreted as the Firm Key (FK) that "enables the functioning of the software". Applicants respectfully submit that the Examiner's interpretation of the disclosure of Cohen (CPA) is believed to be in error. The Examiner refers to column 3, lines 28 to 67, column 5, line 28 and column 6, line 19 of

Cohen with respect to disclosure of initializing the encoding of software or data dependent on Cohen's registration key (T). However, Applicants respectfully submit that Cohen does not disclose initializing the encoding of the software through the use of the registration key (T). Cohen does describe storing a registration key in a registration storage unit (68) received from a vendor system for "enabling" features of the software (column 3, lines 63 to 67). Cohen also discloses that, after payment is made for the software license, a registration number generator will allow the vendor system to generate a "registration key" (column 4, lines 39 to 41). Cohen further discloses that, after payment is made for the software, the vendor system will generate a registration key (T) based on a machine identifier which is unique for the licensee system which, if compromised, could not be used in another machine. Cohen also, in column 6, lines 34 to 37, discloses that if the registration key (T) is not received from the vendor system or is not valid, any functionality of the software that is not accessible to non-paid users remains locked or hidden.

However, Applicants respectfully submit that Cohen fails to disclose that the registration key (T) is used for both initializing the encoding of the software and initializing decoding of the software dependent on the same key. This is a

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feature, however, of the secret Firm Key (FK) as set forth in Applicants' claims. Accordingly, Claims 13, 25 and 31 and the claims dependent thereon, respectively, are believed to distinguish patentably over the disclosure of Cohen as well as the other art of record and reconsideration for allowance of Claims 13 through 34 is respectfully solicited.

Respectfully submitted,

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